

Assembly Bill No. 2448

Passed the Assembly August 31, 2006

Chief Clerk of the Assembly

Passed the Senate August 30, 2006

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 46160, 52301, 52302.3, 52302.5, 52303, 52314, 52314.5, 52315, and 52321 of, to amend and repeal Section 52302.7 of, to add Sections 52302.2, 52302.8, 52334.5, and 52335.12 to, to add Article 1.4 (commencing with Section 78018) to Chapter 1 of Part 48 of, to repeal Sections 52314.6, 52314.7, 52325, 52326, 52335.7, 52335.8, 52335.9, and 52335.10 of, and to repeal and add Section 52302 of, the Education Code, relating to regional occupational centers and programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 2448, Hancock. Regional occupational centers and programs: administration.

(1) Existing law permits the governing board of a school district that maintains a junior high or high school to schedule classes so that each pupil attends classes for at least 1,200 minutes during any 5-school day period. Existing law permits a pupil to be authorized to attend school for less than the total number of days in which the school is in session per week as long as the pupil attends the required number of minutes per 5-school day period.

This bill also would permit a school to schedule classes so that each pupil attends 2,400 minutes during any 10-school day period and would permit a pupil to attend school fewer days per week to accommodate career technical education and regional occupational center and program courses and block or other alternative school class schedules as long as the pupil attends the required minutes per 10-school day period.

(2) Existing law authorizes the county superintendent of schools of each county, with the consent of the State Board of Education, to establish and maintain at least one regional occupational center, or regional occupational program, in the county to provide education and training in career technical courses.

Existing law requires the county superintendent of schools or school districts sponsoring the regional occupational center or

program to conduct a job market study in the labor market area in which it proposes to establish the center or program to ensure that the anticipated employment demand for trainees justifies the establishment of the proposed courses of instruction.

This bill, instead, would require the governing board of each regional occupational center or program, on or before July 1, 2010, to ensure that at least 90% of all state-funded courses offered by the center or program are part of occupational course sequences that target high-skill occupations that are in demand, as specified. The bill would make compliance with this and related requirements a condition of receiving funds provided under the federal Carl D. Perkins Vocational and Applied Technology Education Act of 1998. The bill would require the State Department of Education, with the assistance of the Office of the Chancellor of the California Community Colleges to meet with each program or center in the region during the 2009–10 fiscal year to validate that the required course sequences have been developed, to provide specified assistance, and to waive certain requirements as specified. The bill would require school districts, regional occupational centers or programs, and community college districts that do not develop course sequences on or before the specified dates, and have not received a waiver, as specified, to enter into a corrective action plan with the department and to meet any timelines established by the Superintendent of Public Instruction.

(3) Existing law includes providing individual counseling and guidance in career technical matters, providing a curriculum that includes skill training in occupational fields having current and future needs for the training, and providing an opportunity for pupils to acquire entry level career technical skills that may lead to a combination work-study schedule as some of the purposes of a regional occupational center or program.

This bill would require the governing board of each regional occupational center or program to establish and maintain an employer advisory board or boards pursuant to guidelines developed by the State Department of Education, as specified.

(4) Existing law requires every career technical course or program offered by a school district or county superintendent sponsoring a regional occupational center or program to be reviewed every 2 years, as specified, and requires any course or

program that does not meet the requirements and specified standards to be terminated within one year.

This bill would delete the requirement that the review process include review and comments by a specified local private industry council and would delete the limitation that the review only apply to courses or programs that began subsequent to the effective date of the provisions.

The bill would require the department to conduct monitoring reviews of each regional occupational center or program at least once every 4 years, within existing resources, as specified.

(5) Existing law requires a regional occupational center or program to do specified things, including providing skill training.

This bill would revise the requirements to include a sequence of academic and skill instruction leading to an employer-endorsed skill certificate and vocational degree or certificate programs at a community college.

(6) Existing law authorizes a regional occupational center to provide, on an individual referral basis, academic and personal development instruction for adult students enrolled in a career technical education course conducted by the regional occupational center when it is determined that it is essential for this instruction to be given to ensure the employability of the adult student.

This bill would make that provision inoperative on June 30, 2010, and repeal it as of January 1, 2011.

(7) Existing law prohibits regional occupational centers or programs from claiming more than 3% of average daily attendance based on the enrollment of pupils who are under the age of 16, but law does not include similar limitations with regard to claims for adult students.

This bill would, on or before July 1, 2008, prohibit a regional occupational center or program from claiming more than 50% of the state-funded average daily attendance for which the center or program is eligible for services provided to students not enrolled in grades 9 to 12, inclusive. The bill would, on or before July 1, 2009, prohibit a regional occupational center or program from claiming more than 30% of that average daily attendance. The bill would, on or before July 1, 2011, prohibit a regional occupational center or program from claiming more than 10% of that average daily attendance. The bill would, on or before July

1, 2010, allow a regional occupational center or program to claim an additional 5% of the state-funded average daily attendance for which the center or program is eligible for services provided to CalWORKs, Temporary Assistance Program, or Job Corps participants and participants under the federal Workforce Investment Act of 1998, as specified. The bill would require a regional occupational center or program that claims more than 40% of the state-funded average daily attendance for which the center or program is eligible for services provided to student not enrolled in grades 9 to 12, inclusive, to report to the Superintendent of Public Instruction each year on its plans to reduce the number of adult students in order to comply with those limits. The bill would allow regional occupational centers and programs operated in a rural county of the sixth, seventh, or eighth class, as defined, to claim an additional 10% of average daily attendance for the attendance of adult students. The bill would allow the governing boards of a community college district and a regional occupational center or program to enter into contractual agreements under which the center or program provides services to adult students of the community college district affected by those limits if specified conditions are satisfied.

(8) Existing law limits attendance at a regional occupational center or program to pupils who are 16 years of age or older, with certain exceptions.

This bill would revise the specified exceptions to include pupils who are less than 16 years of age and are referred to the center or program as part of a comprehensive high school plan that has been approved by a school counselor or school administrator and the pupils' parents or guardians and who have individualized education programs that prescribe occupational training for which their enrollment in a regional occupational center or program is deemed appropriate. The bill would also allow the attendance of a pupil who is enrolled in grade 10 and has an approved comprehensive high school plan and whose admission will not result in the denial of admission or displacement of pupils in grades 11 and 12 that would otherwise participate in the regional occupational center or program. The bill also would prohibit adult students from enrolling in regional occupational center or program courses during the schoolday on

a high school campus unless specifically authorized by the policy of the governing board of the school district.

(9) Existing law requires the average daily attendance claimed for pupils admitted to a regional occupational center or program is calculated in specified ways.

This bill would remove specified provisions related to average daily attendance calculations. The bill also would eliminate the provision specifying that a minimum day in a regional occupational center is 180 minutes and that a minimum day in a regional occupational program is 60 minutes. The bill would revise the maximum daily attendance that may be claimed for students not enrolled in grades 9 to 12, inclusive. The bill would require each regional occupational center or program, commencing with the 2007–08 fiscal year, and each fiscal year thereafter, to use all growth average daily attendance, as specified, exclusively to serve pupils in grades 9 to 12, inclusive. The bill would also repeal various obsolete provisions of law governing the calculation of the average daily attendance generated by a regional occupational center or program in prior years.

The bill would require a regional occupational center or program to report annually to the department the academic progress of its secondary pupils, as specified, in order to receive specified, additional average daily attendance. The bill would condition the operation of this provision on the ability to disaggregate relevant data from the California longitudinal pupil achievement data system database.

(10) Existing law authorizes any regional occupational center or program to budget and accumulate an amount necessary to meet its cashflow needs known as a general reserve and budget and accumulate amounts known as the designated fund balance and as the unappropriated fund balance. Existing law authorizes regional occupational centers or programs established and maintained by school districts or joint powers agencies to budget an amount necessary to meet long-term program needs of the regional occupational center or program known as capital outlay expenditures or equipment replacement.

This bill, instead, would authorize any regional occupational center or program to budget and accumulate amounts necessary to meet its long-term program needs in a separate account known

as the capital outlay and equipment replacement reserve account, which is part of the designated fund balance. The bill would make other changes related to these accounts and to the ending balances of certain accounts. The bill would require the Superintendent of Public Instruction to require an annual certification by school districts, county superintendents of schools, and joint powers agencies commencing in the 2007–08 fiscal year that the regional occupational center or program funds have been expended as provided, and requires the Superintendent to withhold certain funds, as provided.

(11) Existing law establishes community college education programs.

This bill would require a community college, upon receiving federal funds provided under the federal Carl D. Perkins Vocational and Applied Technology Act of 1998, or any successor thereof, to develop a plan for enabling the development of course sequences that span courses provided in grades 7 to 12, inclusive, courses provided by regional occupational centers or programs, and courses provided by community college vocational education programs. The bill would require the plan to be adopted by the governing board of the community college district on or before July 1, 2008. Copies of the plan would be required to be submitted to the appropriate school districts and regional occupational centers or programs, and the chancellor.

The people of the State of California do enact as follows:

SECTION 1. Section 46160 of the Education Code is amended to read:

46160. Notwithstanding any other provision of law, the governing board of a school district that maintains a junior high school or high school may schedule classes in these schools so that each pupil attends classes for at least 1,200 minutes during any five-school day period or 2,400 minutes during any 10-school day period.

Under that kind of schedule, any pupil may be authorized to attend school for less than the total number of days in which the school is in session as long as the pupil attends the required number of minutes per five-school day period or per 10-school day period to accommodate career technical education

and regional occupational center and program courses and block or other alternative school class schedules.

Computations authorized by this section shall not result in an increase in state apportionments to a school district.

SEC. 2. Section 52301 of the Education Code is amended to read:

52301. (a) (1) The county superintendent of schools of each county, with the consent of the state board, may establish and maintain, or with one or more counties may establish and maintain, a regional occupational center, or regional occupational program, in the county to provide education and training in career technical courses. The governing boards of any school districts maintaining high schools in the county may, with the consent of the state board and of the county superintendent of schools, cooperate in the establishment and maintenance of a regional occupational center or program, except that if a school district also maintains 500 or more schools, its governing board may establish and maintain one or more regional occupational centers or programs, without those restrictions. A regional occupational center or program may be established by two or more school districts maintaining high schools through the use of the staff and facilities of a community college or community colleges serving the same geographic area as the school districts maintaining the high schools, with the consent of the state board and the county superintendent of schools.

(2) The establishment and maintenance of a regional occupational center or program, by two or more school districts may be undertaken pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code. In a regional occupational center or program, the functions of the county auditor undertaken pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code shall be performed by the county superintendent of schools in a county in which the board of supervisors has transferred educational functions from the county auditor to the county superintendent of schools pursuant to Sections 42649, as added by Chapter 533 of the Statutes of 1977, and 85265.5. If a school district or school districts establish and maintain a regional occupational center or program, pursuant to this chapter, the county superintendent of schools may, with the

consent of the state board, establish and maintain a separate regional occupational center or centers or program or programs.

(b) Notwithstanding other provisions of this section, a single school district located in a class 1 county, as defined in Section 1205, and having an average daily attendance of 50,000 or more, or a single school district located in a class 2 county, as defined in Section 1205, and having an average daily attendance of 100,000 or more, may apply to the state board through the county superintendent of schools for permission to establish a regional occupational center or program. Except as provided in subdivision (c), the state board shall, within 90 days of receipt of an application, prescribe a procedure whereby the school district may establish a center or program in accordance with its application and in compliance with the provisions of the State Plan for Career Technical Education. The county superintendent of schools may supervise establishment of the center or program.

(c) (1) The state board may disapprove a waiver application submitted by a single school district pursuant to Article 3 (commencing with Section 33050) of Chapter 1 of Part 20 for permission to establish a regional occupational center or program which does not meet the requirements of this section if the state board determines that the establishment of the center or program would have an adverse effect upon existing regional occupational centers or programs located in school districts which are contiguous to the applicant school district.

(2) The state board shall establish criteria to measure adverse effect. The criteria shall include, but not be limited to, hardship on (A) school districts operating regional occupational centers or programs which are contiguous to the applicant school district and (B) students of school districts operating regional occupational centers or programs that are contiguous to the applicant school district.

(d) Notwithstanding any other provision of law, any regional occupational center or program operated by a single school district under Section 33050 shall be granted permanent status if the single school district has previously been granted two waivers from the state board to operate a single school district regional occupational center or program and the single school district maintains at least three but not more than five comprehensive high schools within the school district. The revenue limit for a

regional occupational center or program established under this subdivision shall be the lower of either: (1) the revenue limit under which the center or program operates as of January 1, 1985, or (2) the revenue limit of the school district as of January 1, 1985, except that this revenue limit shall be subject to annual percentage cost-of-living adjustments provided for regional occupational centers and programs. The governing board of the school district shall retain authority to decide whether or not to operate the regional occupational center or program under this subdivision.

SEC. 3. Section 52302 of the Education Code is repealed.

SEC. 4. Section 52302 is added to the Education Code, to read:

52302. (a) On or before July 1, 2010, the governing board of each regional occupational center or program shall ensure that at least 90 percent of all state-funded courses offered by the center or program, in occupational areas in which both the program or center and the community college offer instruction, are part of occupational course sequences that target comprehensive skills. Each occupational sequence shall do all of the following:

(1) Result in an occupational skill certificate developed in cooperation with the appropriate employer advisory board created under Section 52302.2.

(2) Provide prerequisite courses that are needed to enter apprenticeship, or postsecondary vocational certificate or degree programs. Where possible, sequenced courses shall be linked to certificate and degree programs in the region.

(3) Focus on occupations requiring comprehensive skills leading to high entry-level wages or the possibility of significant wage increases after a few years on the job, or both.

(4) Offer as many courses as possible that have been approved by the University of California as courses meeting the “A-G” admissions requirements.

(b) (1) On or before July 1, 2008, the governing board of each regional occupational center or program shall develop a plan for establishing sequences of courses, and certify to the department, that those sequences have been developed, as described in subdivision (a). The board shall consult with the superintendents of the school districts served by the center or program and

presidents of community colleges in the area during the development of the plan.

(2) The plan shall be presented at a public hearing by the governing board of each school district served by the regional occupational center or program and by the county board of education.

(3) Community college boards with identified articulated programs shall also review the plans in a public session.

(4) In developing the plan, each regional occupational program or center shall consult with school districts and community college districts located within the region served by the program or center, and with the relevant occupational advisers and local workforce investment board to ensure the plan meets the vocational education needs of high school pupils in the region by providing sequences of courses that begin with middle or high school introductory courses, including, but not limited to, occupational skill courses provided by high schools or regional occupational programs or centers.

(5) The plan shall maximize the use of local, state, and federal resources in helping high school pupils enter comprehensive skill occupations, or apprenticeship programs, or continue education in college, or all of these, after graduating from high school.

(6) The plan shall include strategies for filling any gaps in courses or other services needed to make the sequences effective in meeting the needs of pupils in developing skills and attending community college upon graduation from high school.

(7) Each center or program shall submit a copy of the approved plan to the appropriate community college or colleges in the region and the Superintendent on or before July 1, 2008. Every four years after this date, each center and program shall submit an update to the plan to the local community college or colleges and the Superintendent.

(c) As a condition of receiving federal funds provided under the Carl D. Perkins Vocational and Applied Technology Education Act of 1998 (20 U.S.C. Sec. 2301 et seq.), or any successor thereof, and to the extent permitted by federal law, school districts, regional occupational centers or programs, and community college districts shall do all of the following:

(1) Develop course sequences that meet the requirements of this section according to the schedule set forth in this paragraph.

(A) On or before July 1, 2008, school districts, regional occupational centers or programs, and community college districts shall have adopted an approved plan as required under this section.

(B) On or before July 1, 2009, school districts, regional occupational centers or programs, and community college districts shall have established course sequences as required under this section that include at least one-third of the courses offered by the regional occupational center or program in occupational areas in which both the program or center and the community college offer instruction.

(C) On or before July 1, 2010, school districts, regional occupational centers or programs, and community college districts shall have established course sequences as required under this section that include at least two-thirds of the courses offered by the regional occupational center or program in occupational areas in which both the program or center and the community college offer instruction.

(2) Provide pupils who are participating in vocational sequences with information and experiences designed to increase their postgraduation work and school options, including, but not limited to, all of the following:

(A) Information about the admissions requirements of the University of California and California State University.

(B) Information about the placement requirements of the local community college or colleges.

(C) Information about higher education options related to the pupil's interests.

(D) Encourage visits to local colleges and universities offering programs that allow pupils to gain additional skills and degrees in related occupations.

(E) Information and referrals to employers for internships, summer employment opportunities, and employment after graduation from high school.

(3) School districts, regional occupational centers or programs, and community college districts that do not develop course sequences on or before the dates established under this subdivision, and have not received a waiver under subdivision (d), shall enter into a corrective action plan with the department, and shall meet any timelines established by the Superintendent.

(d) (1) The department, with the assistance of the Office of the Chancellor of the California Community Colleges, shall meet with each program or center and the community college or colleges in the region no later than the 2009–10 fiscal year to validate that course sequences meeting the requirements of this section have been developed. These meetings shall be conducted using the existing resources of the department and shall be consistent with the standards developed pursuant to Section 52234.5.

(2) The department and the office of the chancellor shall provide technical assistance to programs or centers and community colleges that have developed articulated sequences for less than half of the courses offered by the program or center.

(3) The Superintendent may waive the requirements of subdivision (a) for programs or centers and community colleges located in rural areas of the state if the Superintendent finds that development of sequences is infeasible because of the distance, travel time, or safety between the center or program and the community college.

SEC. 5. Section 52302.2 is added to the Education Code, to read:

52302.2. (a) The governing board of each regional occupational center or program shall establish and maintain an employer advisory board or boards pursuant to guidelines developed by the department. The advisory board shall do all of the following:

(1) Assist in the development of skill certificates that identify the skills and knowledge that pupils completing an occupational course sequence are expected to acquire upon completing the sequence. The advisory board also shall approve the measures and criteria, and methods to evaluate whether pupils actually acquired the identified skills and knowledge.

(2) Review at least once a year whether pupils who are assessed as having met the requirements for a skill certificate possess the skills needed for success in employment in that occupation.

(3) Review the specific occupational sequences offered by the regional occupational center or program train pupils for jobs that are in demand and offer high beginning salaries or the potential for significant wage increase after several years on the job.

(4) Assist the regional occupational center or program in developing internships, paid summer employment, and postgraduation employment opportunities for pupils participating in the course sequences.

(5) Assist the regional occupational center or program in creating college scholarships for pupils participating in the course sequences.

(b) Employer advisory boards shall be composed of representatives of trade organizations and businesses or government agencies that hire a significant number of employees each year and require the skills and knowledge that are taught in the course sequence or sequences in that occupational area, as well as at least once representative from a school district career technical educational advisory committee. The department shall develop regulations guiding the establishment of these boards.

(c) Regional occupational centers or programs operated in a rural county of the sixth, seventh, or eighth class may designate a local business or industry organization as the advisory board and consult with the leadership of the local business or industry organization to determine skill needs in the region and emerging job market needs. For purposes of this section, the local business organization may be designated as the advisory board for the regional occupational center or program.

SEC. 6. Section 52302.3 of the Education Code is amended to read:

52302.3. (a) Every career technical course or program offered by a school district or districts or county superintendent or superintendents sponsoring a regional occupational center or program shall be reviewed every two years by the appropriate governing body to assure that each course or program does all of the following:

(1) Meets a documented labor market demand.

(2) Does not represent unnecessary duplication of other job skills training programs in the area.

(3) Is of demonstrated effectiveness as measured by the employment and completion success of its pupils.

(b) Any course or program that does not meet the requirements of subdivision (a) and the standards promulgated by the governing body shall be terminated within one year.

SEC. 7. Section 52302.5 of the Education Code is amended to read:

52302.5. A regional occupational center or regional occupational program shall do all of the following:

(a) Provide individual counseling and guidance in career technical matters.

(b) Provide a curriculum that includes a sequence of academic and skill instruction in specific occupational fields leading to an approved skill certificate and vocational degree, apprenticeship, or postsecondary certificate program pursuant to paragraph (2) of subdivision (b) of Section 52302, or provide an opportunity for pupils to acquire entry-level career technical skills.

(c) Maintain a pupil-teacher ratio which will enable pupils to achieve optimum benefits from the instructional program.

(d) Assign the highest priority in services to youth from the age of 16 to 18 years, inclusive.

SEC. 8. Section 52302.7 of the Education Code is amended to read:

52302.7. (a) A regional occupational center may provide, on an individual referral basis, academic and personal development instruction for adult students enrolled in a career technical education course conducted by the regional occupational center when it is determined that it is essential for this instruction to be given to ensure the employability of the adult student.

(b) This section shall become inoperative on June 30, 2010, and, as of January 1, 2011, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2011, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 9. Section 52302.8 is added to the Education Code, to read:

52302.8. (a) The Legislature hereby finds and declares that vocational training resources that are provided through regional occupational centers and programs are an essential component of the state's secondary school system and the local system of providing occupational skills training to high school pupils. For this reason, the Legislature finds and declares that these resources should be focused primarily on the needs of pupils enrolled in high school.

(b) On or before July 1, 2008, a regional occupational center or program may claim no more than 50 percent of the state-funded average daily attendance for which the center or program is eligible, for services provided to students who are not enrolled in grades 9 to 12, inclusive.

(c) On or before July 1, 2009, a regional occupational center or program may claim no more than 30 percent of the state-funded average daily attendance for which the center or program is eligible, for services provided to students who are not enrolled in grades 9 to 12, inclusive.

(d) On or before July 1, 2011, a regional occupational center or program may claim no more than 10 percent of the state-funded average daily attendance for which the center or program is eligible, for services provided to students who are not enrolled in grades 9 to 12, inclusive, and up to an additional 5 percent for CalWORKs, Temporary Assistance Program, or Job Corps participants and participants under the federal Workforce Investment Act of 1998 (29 U.S.C. Sec. 2810 et seq.) who are enrolled in Intensive Training services.

(e) Pupils who are CalWORKs, Temporary Assistance Program, or Job Corps participants shall have priority for service within the percentage limits established under subdivision (d).

(f) Notwithstanding subdivision (d), a regional occupational center or program may claim more than 15 percent of its average daily attendance for students who are not enrolled in grades 9 to 12, inclusive, if all of the students who are not enrolled in grades 9 to 12, inclusive, are CalWORKs, Temporary Assistance Program, or Job Corps participants, and if the governing board of the regional occupational center or program does all of the following:

(1) Meets with local human services directors, and representatives of adult education programs, community colleges and other institutions of higher education, to assess the needs of CalWORKs, Temporary Assistance Program, or Job Corps and federal Workforce Investment Act participants to identify alternative ways to meet the needs of these adult students.

(2) Enters into a transition plan, approved by the Superintendent, to become in compliance with subdivision (d) in accordance with benchmarks and timelines established in the transition plan. Transition plans shall be established pursuant to

guidelines issued by the department, in consultation with the State Department of Social Services, and shall be resubmitted and reviewed annually.

(g) Notwithstanding subdivisions (b), (c), and (d), a regional occupational center or program that claims more than 40 percent of its students are not enrolled in grades 9 to 12, inclusive, on January 1, 2007, shall submit a letter to the Superintendent by July 1 of each year until it complies with this subdivision, outlining the goals of the regional occupational center or program to reduce the number of adult students in order to comply with subdivision (d) on or before July 1, 2013.

(h) Regional occupational centers and programs operated in a rural county of the sixth, seventh, or eighth class may exceed the number of adults by an additional 10 percent of the limits established in subdivisions (b), (c), and (d).

(i) For purposes of this calculation, adult average daily attendance attributable to continuously enrolled grade 12 pupils who have not passed the high school exit examination pursuant to Section 60851 is excluded from the calculation under this section. Any and all amounts that may become available from any reductions resulting from the enactment of this section shall be redirected to other regional occupational centers or programs to serve additional secondary pupils.

(j) The governing boards of a community college district and a regional occupational center or program may enter into contractual agreements under which the center or program provides services to adult students of the community college district affected by this section if both of the following are satisfied:

(1) The agreements conform to state regulations and audit requirements jointly developed by the Chancellor of the Office of the California Community Colleges and the State Department of Education, in consultation with, and subject to approval by, the Department of Finance.

(2) Any course offered for adults pursuant to an agreement entered into pursuant to this subdivision is limited to the same cost per student to the state as if the course were offered at the regional occupational center or program. This subdivision does not authorize the apportionment of funds for community colleges for adult students in excess of the revenue limit for regional

occupational centers or programs if a course is deemed eligible for college credit.

(k) A regional occupational center or program that fails to meet a timeline established under subdivision (d) or (g) shall meet with the community college, adult education program, or other adult service to identify alternative means of meeting the needs of adult students and shall enter into a corrective action plan administered by the department. The corrective action plan shall be established pursuant to guidelines issued by the department and shall be submitted to the department annually for review.

SEC. 10. Section 52303 of the Education Code is amended to read:

52303. "Regional occupational program," as used in this chapter, means a sequence of career technical or technical training programs that meet the criteria and standards of instructional programs in regional occupational centers and are conducted in a variety of physical facilities that are not necessarily situated in one single plant or site.

SEC. 11. Section 52314 of the Education Code is amended to read:

52314. (a) (1) Except as provided in subdivision (b), any pupil eligible to attend a high school or adult school in a school district subject to the jurisdiction of a county superintendent of schools operating a regional occupational center or regional occupational program, and who resides in a school district which by itself or in cooperation with other school districts, has not established a regional occupational center, or regional occupational program, is eligible to attend a regional occupational center or regional occupational program maintained by the county superintendent of schools. Any school district which in cooperation with other school districts maintains a regional occupational center, or regional occupational program, or any cooperating school districts may admit to the center, or program, any pupil, otherwise eligible, who resides in the district or in any of the cooperating districts. Any school district which by itself maintains a regional occupational center, or regional occupational program, may admit to the center, or program, any pupil, otherwise eligible, who resides in the district. No pupil, including adults under Section 52610 shall be admitted to a

regional occupational center, or regional occupational program, unless the county superintendent of schools or governing board of the district or districts maintaining the center, or program, as the case may be, determines that the pupil will benefit therefrom and approves of his or her admission to the regional occupational center or regional occupational program.

(2) Adult students shall not be enrolled in regional occupational center or program courses during the school day on a high school campus unless specifically authorized by the policy of the governing board of the school district.

(3) A pupil may be admitted on a full-time or part-time basis, as determined by the county superintendent of schools or governing board of the school district or districts maintaining the center, or program, as the case may be.

(b) A pupil is not eligible to be admitted to a regional occupational center or program, and his or her attendance shall not be credited to a regional occupational center or program, until he or she has attained the age of 16 years, unless the pupil meets one or more of the following conditions:

(1) The pupil is enrolled in grade 11 or a higher grade.

(2) The pupil received a referral and all of the following conditions are met:

(A) The pupil is referred to a regional occupational center or program as part of a comprehensive high school plan that has been approved by a school counselor or school administrator. The approval of the pupil's parents or guardian may be sought but is not required.

(B) The pupil's comprehensive high school plan requires referral to a regional occupational center or program as part of a sequence of vocational courses that allows the pupil to learn a comprehensive skill occupation that culminates in earning a postsecondary vocational certificate or diploma or its equivalent.

(C) The pupil is enrolled in a school that maintains any of grades 9 to 12, inclusive.

(3) The individualized education program of a pupil adopted pursuant to the requirements of Chapter 4 (commencing with Section 56300) of Part 30 prescribes occupational training for which his or her enrollment in a regional occupational center or program is deemed appropriate.

(4) The pupil is enrolled in grade 10 and has a comprehensive high school plan that has been approved by a school counselor, and the admission of that pupil will not result in the denial of admission or displacement of pupils in grades 11 and 12 that would otherwise participate in the regional occupational center or program.

(c) (1) Each school district, county superintendent of schools, or joint powers agency that maintains a regional occupational center or regional occupational program shall submit to the department, at the time and in the manner prescribed by the Superintendent, the enrollment and average daily attendance for each grade level and the enrollment and average daily attendance for each exemption set forth in subdivision (b).

(2) The department shall submit this information to the education and budget committees of the Legislature, the Legislative Analyst's Office, and the Director of Finance by April 1 of each year for the preceding school year.

SEC. 12. Section 52314.5 of the Education Code is amended to read:

52314.5. A regional occupational center or program established and maintained by a county superintendent of schools, school districts, or joint powers agencies pursuant to Section 52301 shall admit youths between the ages of 15 to 18 years who are eligible to attend a high school in a school district, but who have not been enrolled on a full-time or part-time basis for a period of more than three months during the regular school year, if all of the following apply:

(a) The center or program, in conjunction with the appropriate school district, develops a comprehensive high school plan that describes the academic and vocational instruction that will be provided to the pupil.

(b) The pupil's parents or guardian approves the comprehensive plan in writing.

(c) The pupil enrolls in the appropriate adult school or high school courses that are needed to satisfy the comprehensive high school plan.

SEC. 13. Section 52314.6 of the Education Code is repealed.

SEC. 14. Section 52314.7 of the Education Code is repealed.

SEC. 15. Section 52315 of the Education Code is amended to read:

52315. (a) Any visually impaired, orthopedically impaired, or deaf person who is not enrolled in a regular high school or community college program may attend a regional occupational center or regional occupational program pursuant to the requirements described in Section 52314.5. Additional special instruction and support services shall be provided to these persons.

(b) If the Superintendent determines that there would be a duplication of effort to these impaired persons if a regional occupational center or regional occupational program provided services to them, in that other programs exist that are available to them, the Superintendent may disapprove of the curriculum to provide programs to these impaired persons pursuant to Section 52309 and of any state funding made available pursuant to Section 41897 for these purposes.

SEC. 16. Section 52321 of the Education Code is amended to read:

52321. (a) (1) A regional occupational center or program established and maintained by school districts or joint powers agencies pursuant to Section 52301 shall receive in annual operating funds from each of the participating school districts an amount per unit of average daily attendance equal to the revenue limit received by those districts for each unit of average daily attendance generated in the regional occupational center or program.

(2) A regional occupational center or program established and maintained by a county superintendent of schools pursuant to Section 52301 shall receive funding pursuant to Section 2550. A county superintendent of schools shall report average daily attendance to the Superintendent for that funding.

(b) Any regional occupational center or program is authorized to (1) budget and accumulate an amount necessary to meet the cashflow needs of the regional occupational center or program known as a general reserve, and (2) budget and accumulate amounts known as the designated fund balance and as the unappropriated fund balance. Alternatively, a center or program may budget and accumulate amounts necessary to meet its long-term program needs in a separate account known as the capital outlay and equipment replacement reserve account, and this account shall be part of the designated fund balance. At the

end of each school year, the ending balance in the regional occupational center or program account may be distributed to any of the general reserve, designated fund balance, and unappropriated fund balance accounts, provided that the combined total distributed does not exceed 15 percent of the current school year's expenditures.

(1) The general reserve, the designated fund balance, including the capital outlay and equipment replacement reserve account, and the unappropriated fund balance shall be available for appropriation only after approval by a majority vote of the governing body of the regional occupational center or program.

(2) Funds of any regional occupational center or program shall be distributed to the capital outlay and equipment replacement reserve account only upon adoption by the governing board of a resolution specifying the general use to which each appropriation from the account would be put.

(c) (1) At the end of each school year, the combined ending balances of the general reserve, the designated fund balance, except the capital outlay and equipment replacement reserve account, and the unappropriated fund balance shall not exceed 15 percent of the current fiscal year's expenditures.

(2) Any regional occupational center or program may accumulate, over a period of two or more school years, an ending balance in the capital outlay and equipment replacement reserve account of more than 15 percent of the current fiscal year's expenditures, under provisions of a resolution of the governing board pursuant to paragraph (2) of subdivision (b).

(d) Funds placed in either the general reserve, the designated fund balance, including the capital outlay and equipment replacement reserve account, or the unappropriated fund balance shall be expended only for regional occupational center or program educational purposes.

(e) The Superintendent shall require an annual certification by school districts, county superintendents of schools, and joint powers agencies commencing in the 2007–08 fiscal year that the regional occupational center or program funds have been expended as provided in this section. The Superintendent shall withhold from a subsequent year's apportionment, any ending fund balance in excess of 15 percent of the previous year's expenditures, except those funds specifically set aside by the

governing board in the capital outlay and equipment replacement reserve account.

SEC. 17. Section 52325 of the Education Code is repealed.

SEC. 18. Section 52326 of the Education Code is repealed.

SEC. 19. Section 52334.5 is added to the Education Code, to read:

52334.5. (a) Within existing resources, the department shall conduct monitoring reviews of each regional occupational center or program at least once every four years for compliance with applicable state laws and regulations, to provide focused and targeted technical assistance and support, and to assist with the remediation of identified deficiencies.

(b) The department, in consultation with local regional occupational centers or programs, shall develop a monitoring instrument focused on all of the following:

(1) The regional occupational center or program administration and instructional programs.

(2) The alignment of curriculum with standards.

(3) The sequencing of courses in a pathway articulated with middle schools, campus-based secondary school courses, and postsecondary educational institutions.

(4) Teacher credentials.

(5) Counseling and guidance.

(6) Business and industry involvement.

(7) Local labor market review.

(8) Required actions of local governing boards.

(9) Other components determined by the Superintendent.

SEC. 20. Section 52335.12 is added to the Education Code, to read:

52335.12. (a) As a condition of receiving additional funding based on average daily attendance, the regional occupational center or program shall report annually to the department the academic and workforce preparation progress of the secondary pupils enrolled in the center or program. Indicators to measure that progress shall include, but are not limited to, the Standardized Testing and Reporting (STAR) Program, pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33; the high school exit examination, pursuant to Chapter 9 (commencing with 60850) of Part 33; and other indicators of academic and workforce preparation success, such as reduced

dropout rates, workforce preparation, increased matriculation into postsecondary educational institutions, and other measures as determined by the department.

(b) This section shall become effective only when the longitudinal data on pupils enrolled in regional occupational centers and programs can be disaggregated from the California longitudinal pupil achievement data system (CALPADs) database, established pursuant to Chapter 10 (commencing with Section 60900) of Part 33.

(c) On or before October 1, 2007, the department shall submit to the Department of Finance a detailed proposal for the implementation of the outcome reports required in subdivision (a). The proposal shall identify the specific data elements to be collected and the costs associated with the data collection and preparation of the report. The department shall consult with the Department of Finance and the office of the Legislative Analyst during the development of this proposal.

SEC. 21. Section 52335.7 of the Education Code is repealed.

SEC. 22. Section 52335.8 of the Education Code is repealed.

SEC. 23. Section 52335.9 of the Education Code is repealed.

SEC. 24. Section 52335.10 of the Education Code is repealed.

SEC. 25. Article 1.4 (commencing with Section 78018) is added to Chapter 1 of Part 48 of the Education Code, to read:

Article 1.4. Vocational Education Coordination Plan

78018. (a) As a condition of federal funds provided under the Carl D. Perkins Vocational and Applied Technology Act of 1998 (20 U.S.C. Sec. 2301 et seq.) or any successor thereof, and to the extent permitted by federal law, a community college shall develop a plan for enabling the development of course sequences that span courses provided in grades 7 to 12, inclusive, courses provided by regional occupational centers or programs, and courses provided by community college vocational education programs. The community college shall consult with the school districts and regional occupational centers or programs in the area served by the college, and with the relevant local workforce investment board, in the development of the plan. The plan shall do all of the following:

(1) Identify the occupational areas in which the college and high schools or regional occupational centers and programs offer instruction.

(2) Describe the plan the community college will follow to create the sequences required under subdivision (c) of Section 52302.

(3) Establish an institutionwide process and criteria for awarding community college credit for vocational courses taken by pupils in high school or through the regional occupational center or program.

(b) The plan shall be adopted by the governing board of the community college district on or before July 1, 2008. Copies of the plan shall be submitted to the appropriate school districts and regional occupational centers or programs, and the chancellor.

Approved _____, 2006

Governor